

Serial No. 10/654,312
Group Art Unit: 3643

REMARKS

In response to the Final Office action dated 29 June 2004, claim 1 is amended herein to include the substance of claims 2 and 3; claim 4 is amended herein to depend from amended claim 1; claim 5 is amended to more clearly identify the intermediate bend 44 of the crank member as being of enlarged radius to provide an anvil 46 aligning with the crank segment 44 and screw 36 to provide an impact point for a hammer to drive the screw 36 into a tree trunk. This structural configuration is described in the specification at lines 16-18 on page 4, and clearly distinguishes over applicant's earlier patent 5,522,177 wherein the bend referred to by the Examiner as the portion 42 in Fig. 2, is not identified as a bend, but rather as a screw crank (col. 2, lines 36-37 and 56-62). The sharp 90° bend in Fig. 2 of the patent does not form an "anvil" to facilitate driving the screw 40 into a tree trunk. No such intention or disclosure is found in the reference patent.

Claim 1 is amended to include the substance of provisionally allowed claims 2 and 3, and claim 4 is amended to be dependent on amended claim 1. Claim 5 is amended as discussed hereinbefore. Claims 6, 7 and 8 are indicated allowed by the Examiner and therefore have not been amended.

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In view of the foregoing, it is believed that this application now is in proper condition for passage to issue with claims 1, 4, 5, 6, 7 and 8. Favorable reconsideration is earnestly solicited.


Respectfully submitted,

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